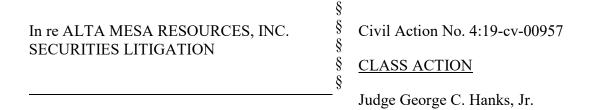
## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION



CLASS PLAINTIFFS' NOTICE OF ISSUANCE OF TRIAL SUBPOENAS

## TO: ALL PARTIES AND THEIR ATTORNEYS OF RECORD

PLEASE TAKE NOTICE that, pursuant to Rules 30 and 45 of the Federal Rules of Civil Procedure, Lead Plaintiffs FNY Partners Fund LP, FNY Managed Accounts, LLC, Paul J. Burbach and United Association National Pension Fund (f/k/a Plumbers and Pipefitters National Pension Fund) and Plaintiff Camelot Event Driven Fund (collectively, "Class Plaintiffs"), by and through their attorneys, will serve the trial deposition subpoenas attached hereto on the following parties:

Witness	Date/Time	Location
John Baldauff	Nov. 4, 2024	Bob Casey Federal Courthouse
	1:30 PM	515 Rusk Street
		Courtroom No. 6202
		Houston, TX 77002
Kevin Bourque	Nov. 4, 2024	Bob Casey Federal Courthouse
	1:30 PM	515 Rusk Street
		Courtroom No. 6202
		Houston, TX 77002
John Campbell, Jr.	Nov. 4, 2024	Bob Casey Federal Courthouse
	1:30 PM	515 Rusk Street
		Courtroom No. 6202
		Houston, TX 77002
Mark Castiglione	Nov. 4, 2024	Bob Casey Federal Courthouse
	1:30 PM	515 Rusk Street
		Courtroom No. 6202
		Houston, TX 77002
Harlan H. Chappelle	Nov. 4, 2024	Bob Casey Federal Courthouse
	1:30 PM	515 Rusk Street
		Courtroom No. 6202
		Houston, TX 77002
Michael Christopher	Nov. 4, 2024	Bob Casey Federal Courthouse
	1:30 PM	515 Rusk Street
		Courtroom No. 6202
		Houston, TX 77002

Witness	Date/Time	Location
Homer "Gene" Cole	Nov. 4, 2024	Bob Casey Federal Courthouse
	1:30 PM	515 Rusk Street
		Courtroom No. 6202
		Houston, TX 77002
Charles "Bo" Dunne	Nov. 4, 2024	Bob Casey Federal Courthouse
	1:30 PM	515 Rusk Street
		Courtroom No. 6202
		Houston, TX 77002
Amy Dwyer	Nov. 4, 2024	Bob Casey Federal Courthouse
	1:30 PM	515 Rusk Street
		Courtroom No. 6202
		Houston, TX 77002
Michael E. Ellis	Nov. 4, 2024	Bob Casey Federal Courthouse
	1:30 PM	515 Rusk Street
		Courtroom No. 6202
		Houston, TX 77002
Scott Grandt	Nov. 4, 2024	Bob Casey Federal Courthouse
	1:30 PM	515 Rusk Street
		Courtroom No. 6202
		Houston, TX 77002
William D. Gutermuth	Nov. 4, 2024	Bob Casey Federal Courthouse
	1:30 PM	515 Rusk Street
		Courtroom No. 6202
		Houston, TX 77002
James T. Hackett	Nov. 4, 2024	Bob Casey Federal Courthouse
	1:30 PM	515 Rusk Street
		Courtroom No. 6202
		Houston, TX 77002
Pierre F. Lapeyre, Jr.	Nov. 4, 2024	Bob Casey Federal Courthouse
	1:30 PM	515 Rusk Street
		Courtroom No. 6202
		Houston, TX 77002
David M. Leuschen	Nov. 4, 2024	Bob Casey Federal Courthouse
	1:30 PM	515 Rusk Street
		Courtroom No. 6202
		Houston, TX 77002

Witness	Date/Time	Location
Randy Limbacher	Nov. 4, 2024	Bob Casey Federal Courthouse
	1:30 PM	515 Rusk Street
		Courtroom No. 6202
		Houston, TX 77002
William W. McMullen	Nov. 4, 2024	Bob Casey Federal Courthouse
	1:30 PM	515 Rusk Street
		Courtroom No. 6202
		Houston, TX 77002
Miles Palke	Nov. 4, 2024	Bob Casey Federal Courthouse
	1:30 PM	515 Rusk Street
		Courtroom No. 6202
		Houston, TX 77002
Tamara Sheils	Nov. 4, 2024	Bob Casey Federal Courthouse
	1:30 PM	515 Rusk Street
		Courtroom No. 6202
		Houston, TX 77002
Ronald J. Smith	Nov. 4, 2024	Bob Casey Federal Courthouse
	1:30 PM	515 Rusk Street
		Courtroom No. 6202
		Houston, TX 77002
Jeffrey H. Tepper	Nov. 4, 2024	Bob Casey Federal Courthouse
	1:30 PM	515 Rusk Street
		Courtroom No. 6202
		Houston, TX 77002
Tim Turner	Nov. 4, 2024	Bob Casey Federal Courthouse
	1:30 PM	515 Rusk Street
		Courtroom No. 6202
		Houston, TX 77002
Diana J. Walters	Nov. 4, 2024	Bob Casey Federal Courthouse
	1:30 PM	515 Rusk Street
		Courtroom No. 6202
		Houston, TX 77002

PLEASE TAKE FURTHER NOTICE that a witness may be held in contempt of court pursuant to Federal Rule of Civil Procedure 45(g) if they fails without adequate excuse to obey the subpoena served upon them and that the witness has certain legal rights in response to Class

Plaintiffs' subpoena served upon him as provided in Federal Rules of Civil Procedure 45(c) and

 $(d).^{1}$ 

DATED: October 22, 2024

Respectfully submitted,

### s/Andrew J. Entwistle

Andrew J. Entwistle (attorney in charge)

State Bar No. 24038131

Callie Crispin

State Bar No. 24104231

Sal H. Lee

State Bar No. 24127308

#### ENTWISTLE & CAPPUCCI LLP

500 West 2nd Street, Floor 19, Suite 140

Austin, TX 78701

Telephone: (512) 710-5960 Facsimile: (212) 894-7278

- and -

Joshua K. Porter (pro hac vice)

Brendan J. Brodeur (pro hac vice)

Andrew M. Sher (pro hac vice)

### ENTWISTLE & CAPPUCCI LLP

230 Park Avenue, 3rd Floor

New York, NY 10169

Telephone: (212) 894-7200 Facsimile: (212) 894-7278

Court Appointed Co-Lead Counsel

Carol C. Villegas (pro hac vice)

David Saldamando (pro hac vice)

LABATON KELLER SUCHAROW LLP

140 Broadway

New York, NY 10005

Telephone: (212) 907-0700

Facsimile: (212) 818-0477

Counsel for Plaintiff Camelot Event Driven

Fund, A Series of Frank Funds Trust

#### s/Trig R. Smith

Trig R. Smith (pro hac vice)

Tor Gronborg (pro hac vice)

John M. Kelley (pro hac vice)

Stephen Johnson (pro hac vice)

# ROBBINS GELLER RUDMAN & DOWD LLP

655 West Broadway, Suite 1900

San Diego, CA 92101

Telephone: (619) 231-1058

Facsimile: (619) 231-7423

Shawn A. Williams (pro hac vice)

Daniel J. Pfefferbaum (pro hac vice)

# ROBBINS GELLER RUDMAN & DOWD LLP

Post Montgomery Center

One Montgomery Street, Suite 1800

San Francisco, CA 94104

Telephone: (415) 288-4545

Facsimile: (415) 288-4534 (fax)

Court Appointed Co-Lead Counsel

These rights are reproduced in full at page three of the subpoena served upon the non-party.

## **DECLARATION OF SERVICE BY EMAIL**

I, Trig R. Smith, not a party to the within action, hereby declare that on October 22, 2024, I served the attached CLASS PLAINTIFFS' NOTICE OF ISSUANCE OF TRIAL SUBPOENAS on the parties in the within action by email addressed as follows:

## **COUNSEL FOR PLAINTIFFS**:

NAME	FIRM	EMAIL
Trig R. Smith	ROBBINS GELLER RUDMAN	trigs@rgrdlaw.com
Tor Gronborg	& DOWD LLP	torg@rgrdlaw.com
John M. Kelley	655 West Broadway, Suite 1900	jkelley@rgrdlaw.com
Stephen Johnson	San Diego, CA 92101 Telephone: 619/231-1058 619/231-7423 (fax)	sjohnson@rgrdlaw.com
	Co-Lead Counsel for Lead Plaintiffs and the Class	
Andrew J. Entwistle	ENTWISTLE & CAPPUCCI LLP	aentwistle@entwistle-law.com
Callie D. Crispin	500 West 2nd Street, Suite 1900-16 Austin, TX 78701	ccrispin@entwistle-law.com
	Telephone: 512/710-5960	
	Co-Lead Counsel for Lead Plaintiffs and the Class	
Robert N. Cappucci	ENTWISTLE & CAPPUCCI LLP	rcappucci@entwistle-law.com
Joshua K. Porter	230 Park Avenue, 3rd Floor	jporter@entwistle-law.com
Andrew M. Sher	New York, NY 10169	asher@entwistle-law.com
Brendan J. Brodeur	Telephone: 212/894-7200	bbrodeur@entwistle-law.com
	Co-Lead Counsel for Lead Plaintiffs and the Class	
Ira A. Schochet	LABATON SUCHAROW LLP	ischochet@labaton.com
David Schwartz	140 Broadway, 34th Floor	dschwartz@labaton.com
	New York, NY 10005	
	Telephone: 212/907-0650	
	212/818-0477 (fax)	
	Additional Counsel for Lead Plaintiff	

## **COUNSEL FOR DEFENDANTS:**

NAME	FIRM	EMAIL
Herman H. Yue	LATHAM & WATKINS LLP 811 Main Street, Suite 3700 Houston, TX 77002 Telephone: 713/546-7443 Counsel for Riverstone Holdings LLC, Harlan H. Chappelle, Michael E. Ellis, William D. Gutermuth, James T. Hackett, Ronald J. Smith, Jeffrey H. Tepper, and Diana J. Walters	herman.yue@lw.com
J. Christian Word Matthew Peters Laura E. Bladow Emani V. Walks Morgan R. Hoffman Chantel Y. Christian (Paralegal)	LATHAM & WATKINS LLP 555 Eleventh Street, NW, Suite 1000 Washington DC 20004 Telephone: 202/637-2200  Counsel for Riverstone Holdings LLC, Harlan H. Chappelle, Michael E. Ellis, William D. Gutermuth, James T. Hackett, Ronald J. Smith, Jeffrey H. Tepper, and Diana J. Walters	christian.word@lw.com matthew.peters@lw.com laura.bladow@lw.com emani.walks@lw.com morgan.hoffman@lw.com chantel.christian@lw.com
Heather A. Waller	LATHAM & WATKINS LLP 330 North Wabash Avenue, Suite 2800 Chicago, IL 60611 Telephone: 312/876-7700  Counsel for Riverstone Holdings LLC, Harlan H. Chappelle, Michael E. Ellis, William D. Gutermuth, James T. Hackett, Ronald J. Smith, Jeffrey H. Tepper, and Diana J. Walters	heather.waller@lw.com
Jonathan Fombonne Kenneth Alan Young Sydney Corry	KIRKLAND & ELLIS LLP 609 Main Street Houston, TX 77002 Telephone: 713/836-3336  Counsel for Bayou City Energy Management, LLC	jonathan.fombonne@kirkland.com kenneth.young@kirkland.com sydney.corry@kirkland.com
Stefan Atkinson Gianni Mascioli	KIRKLAND & ELLIS LLP 601 Lexington Avenue New York, NY 10022 Telephone: 212/446-4803  Counsel for Bayou City Energy Management, LLC	stefan.atkinson@kirkland.com gianni.mascioli@kirkland.com
Bruce M. Bettigole Adam Pollet Andrea Gordon	EVERSHEDS SUTHERLAND LLP 700 6th Street NW Suite 700 Washington DC 20001 Telephone: 202/383-0100  Counsel for ARM Energy Holdings LLC	brucebettigole@eversheds-sutherland.com adampollet@eversheds-sutherland.com andreagordon@eversheds-sutherland.com

NAME	FIRM	EMAIL
David A. Baay	EVERSHEDS SUTHERLAND LLP 1001 Fannin Street, Suite 3700 Houston, TX 77002-6760 Telephone: 713/470-6112  Counsel for ARM Energy Holdings LLC	davidbaay@eversheds-sutherland.com
Karl S. Stern	QUINN, EMANUEL, URQUHART & SULLIVAN, LLP 711 Louisiana Street, Suite 500 Houston, TX 77002 Telephone: 713/221-7000  Counsel for HPS Investment Partners LLC	karlstern@quinnemanuel.com
Christopher D. Porter Michael B. Carlinsky Jacob J. Waldman Courtney C. Whang	QUINN, EMANUEL, URQUHART & SULLIVAN, LLP 51 Madison Avenue, 22nd Floor New York, NY 10010 Telephone: 212/849-7000  Counsel for HPS Investment Partners LLC	christopherporter@quinnemanuel.com michaelcarlinsky@quinnemanuel.com jacobwaldman@quinnemanuel.com courtneywhang@quinnemanuel.com

I declare under penalty of perjury that the foregoing is true and correct. Executed on October 22, 2024, at San Diego, California.

s/Trig R. Smith	
TRIG R. SMITH	